

UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
059-04

Total Pages in this Submission
62

22764

U.S. PTO

022404

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Optical Modifier and Method for the Manufacture Thereof

and invented by:

Ingo Smaglinski

10785172
22553 US PTO

07/24/04

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09/947,088

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below

2. Specification having 25 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Application Elements (Continued)

3. Drawing(s) (*when necessary as prescribed by 35 USC 113*)
 - a. Formal Number of Sheets _____ 17
 - b. Informal Number of Sheets _____
4. Oath or Declaration
 - a. Newly executed (*original or copy*) Unexecuted
 - b. Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
 - c. With Power of Attorney Without Power of Attorney
 - d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (*usable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. Application Data Sheet (See 37 CFR 1.76)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)
 - a. Computer Readable Form (CFR)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(B) Statement (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Certificate of Mailing

First Class Express Mail (*Specify Label No.*): _____

Priority Mail, Delivery Confirmation No. 03001290000573777915

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Accompanying Application Parts (Continued)

17. Applicant claims small entity status. See 37 CFR 1.27.

(Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: _____

18. Additional Enclosures (*please identify below*):

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

19. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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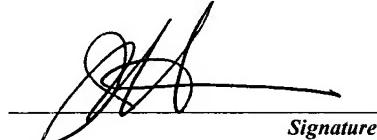
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	5	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$385.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$385.00

- A check in the amount of \$385.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of _____ as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: February 18, 2004



Signature

John J. Simkanich
Reg. No. 26,036
Paul & Paul
2900 Two Thousand Market Street
Philadelphia, PA 19103
(215) 568-4900

cc:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ingo Smaglinski
Serial No. n/a (this is a divisional of 09/947,088)
Filed: Herewith
For: OPTICAL MODIFIER AND METHOD
FOR THE MANUFACTURE THEREOF
Examiner: n/a
Art Unit: n/a
Attny Docket: 059-04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office, by being deposited in first class Priority US Mail, Delivery Confirmation No. 0300 1290 0005 7377 7915 with sufficient postage, and addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on February 18, 2004


Dara Salgado
Dated: February 18, 2004

COVER LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted are the following documents:

- 1) This cover letter;
- 2) Preliminary Amendment (13 pages with attachments);
- 3) Specification (25 pages);
- 4) Utility Patent Application Transmittal for Divisional Application (4 pages);
- 5) Declaration and Power of Attorney (3 pages – parent application);
- 6) Formal Drawings (17 pages – Figs. 1-21);
- 7) Check in the amount of \$385.00; and
- 8) Post card to be date-stamped and returned.

No additional fees are believed to be required. In the event that an additional fee is required with respect to this communication, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Paul & Paul Deposit Account No. 16-0750.

Respectfully Submitted,

Date: February 18, 2004


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Order No.: 2068